

REMARKS

Reconsideration is respectfully requested in light of the foregoing Amendment and remarks that follow.

Claims 23-30 are before the Examiner.

Claims 23, 25 and 27 -30 have been amended to address points raised in the Office Action or to set forth the invention with more particularity. Note in particular that "slip" has been replaced with "coupon". Support for "coupon" appears throughout the specification.

Claim 28 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse.

Claim 28 has been amended to more clearly describe the interaction of the elements involved in the conveyance of the "coupon" from the pick up station to the release position. This interaction is clearly described in the "Description of the Preferred Embodiments" section starting on page 14 of the specification, Figures 1-3 and their description and also the passages referred to in the Preliminary Amendment starting on page 5 of that amendment as supporting the new claims, which included claim 28.

It is clear from these passages, the figures and the specification, generally, as filed that the claim finds support. Withdrawal of the rejection is respectfully requested.

Claims 27-30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse.

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Claims 23 and 27 have been amended to address the concerns raise by the Examiner. The language now employed in the claims is more concise and it should now be crystal clear that claim 27 further limits claim 23. Claim 27 identifies additional elements not specified in claim 23.

Withdrawal of the rejection is respectfully requested in light of these amendments.

Claims 23 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Kronseder (US Patent NO. 5, 024,348). Applicants traverse.

It is respectfully submitted that Kronseder does not teach each and every element required by claim 23 as amended.

Kronseder teaches a magazine assembly for labels having a main magazine for feeding the labels to a take-out location. The design permits a plurality of filled supply magazines to be held at the ready immediately adjacent to the support. The operator can supply additional filled supply magazines at any suitable time. Note summary of invention section starting in col. 2 at line 56. There is no mention of the claimed universal pickup and application device installed permanently in the machine. There is no mention of the "coupon" application nor selective delivery of the "coupon" to a desired position relative to a collar. Further, there is no mention that the "coupon" can be taken from a device akin to the first or second means with equal facility.

Since all the elements required the claim are not taught withdrawal of the rejection is respectfully requested.

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Claim 23 is rejected under 35 U.S.C. 102(b) as being anticipated by Vijuk (US Patent No. 4,812,195). Applicants traverse.

It is respectfully submitted that Vijuk does not teach each and every element required by claim 23 as amended.

Vijuk teaches a method and apparatus for making and inserting "outserts", which bear information relating to pharmaceuticals into packages. There is a focus on folding paper sheets and adhering an outer fold to an inner fold to make the "outsert". See col. 5 starting at line 10. The placement of the "outsert" into its container is shown in Figures 1 and 5. See col. 5 starting at 39. A roller system and physical displacement of one "outsert" by another is taught. This is clearly what is not claimed herein. An "outsert" is not a "coupon". A roller based system is not the claimed pickup and application device installed permanently in the machine.

Withdrawal of the rejection is respectfully requested.

Claims 23-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Bright (EP 0 370 633 A1). Applicants respectfully traverse.

It is respectfully submitted that Bright does not teach each and every element required by claim 23 as amended.

Bright teaches a convertible labeling machine for applying labels to a packet. The Examiner's description of the labeling machine is accurate. There is, however, no mention by Bright of coupon's nor their individual insertion into "packages". The device taught by Bright does not have that as an end or function. Rather, the device secures a container in a position so that a label can be wrapped around it. See, in particular, the passage starting in col. 3 on page 3 at line 3. Adhesive is used in the securing process.

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There is no mention in Bright of a "coupon" application. There is no mention of the claimed pickup and application device installed permanently in the machine.

Withdrawal of the rejection is respectfully requested.

Claim 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bright in view of Focket et al. (US Patent No. 5,203,953) and Voltmer et al. (US Patent No. 4,605,459). Applicants respectfully traverse.

It is respectfully submitted that the invention as now claimed requires a combination of elements not taught in any of the references individually or in combination. It is also submitted that the references do not suggest their combination. There is no problem apparent in one for which the other is a solution.

The invention as now claimed is directed to a device for inserting coupon's into packages. An individual "coupon" is physically transported by a rotating device from a pickup station to a release position. This pickup and application device is installed permanently in the device. The coupon's are present at the pick up area due to the presence of a "coupon" magazine or a device which feed cut coupon's obtained from a continuous strip. The design of the device is such that either device, magazine or continuous strip cutter, can be used with equal facility. The position of the release area results in "coupon" being placed in a desired position relative to a collar at an assembly station. Claim 29 defines the pickup mechanism is furnished with at least one suction cup connectable to a source of negative pressure and designed to attract a slip occupying the reference plane of the pickup station by rolling against one face thereof. Claim 30 defines the pickup and application device as having a first and second guiding and locating

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means in a cooperative relationship to properly direct the transfer of the coupon's.

The rationale in the Office Action is directed to the subject matter of claim 29- the interchangeability a suction cup structure and suction bores in terms of picking up a label. The subject matter of claim 30, which is a combination of both claims 29 and 30, is not specifically addressed in the Office Action.

The additional references do not address the deficiencies noted above relative to Bright, e.g. "coupon" versus label and insertion of a "coupon" into a package.

Foche et al. teach a device where label are affixed to cuboidal cigarette packs. There is no insertion of a "coupon" into the cigarette pack itself.

Voltmer et al. teach a system for securing literature to a container by means of a band segment. The information is secured to the outside of the container. Note figures 3 and 4. There is no insertion of a "coupon" into a package.

With regard to the proposed modification, the equivalency relied upon is in the context of a system distinct from that claimed.

Withdrawal of the rejections is believed to be in order. A proper prima facie case is not established by the reference combination.

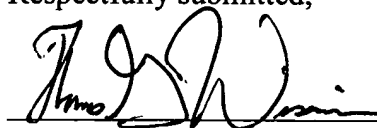
In view of the foregoing amendments and remarks, the application is believed to be in condition for allowance and a notice to that effect is respectfully requested.

Should the Examiner not find the Application to be in allowable condition or believe that a conference would be of value in expediting the prosecution of the Application, Applicants request that the Examiner telephone undersigned Counsel to discuss the case and afford

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Applicants request an opportunity to submit any Supplemental Amendment that might advance prosecution and place the Application in allowable condition.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas G. Wiseman', written over a horizontal line.

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